

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

Zevhart H. Mesdjian

SUMMONS IN A CIVIL ACTION

V.  
Merck & Co., Inc.

CASE NUMBER:

08 CIV. 2537

TO: (Name and address of Defendant)

Merck & Co., Inc.  
C/O CT Corporation System  
111 Eighth Avenue  
New York, New York 10011

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

CLERK

*J. Michael McMahon*  
CLERK

DATE

MAR 13 2008

(By) DEPUTY CLERK

*[Signature]*

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| RETURN OF SERVICE   |                                   |              |
|---|-----------------------------------|--------------|
| Service of the Summons and complaint was made by me <sup>en</sup>   | DATE<br>March 19, 2008 at 4:02 PM |              |
| NAME OF SERVER (PRINT)<br>Henry Moss  | TITLE<br>Licensed Process Server  |              |
| <i>Check one box below to indicate appropriate method of service</i>  |                                   |              |
| <div style="margin-bottom: 10px;"><input type="checkbox"/> Served personally upon the defendant. Place where served:</div> <div style="margin-bottom: 10px;"><input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.<br/>Name of person with whom the summons and complaint were left:</div> <div style="margin-bottom: 10px;"><input type="checkbox"/> Returned unexecuted:</div> <div><input checked="" type="checkbox"/> Other (specify): Personal service on Elana Bou, Process Specialist, a person representing the CT Corporation System, the Registered Agent of Merck &amp; Co., Inc and authorized to accept Service for Merck &amp; Co., Inc, Service was executed at 111 Eighth Avenue, New York, NY</div> |                                   |              |
| STATEMENT OF SERVICE FEES   |                                   |              |
| TRAVEL  | SERVICES                          | TOTAL \$0.00 |
| DECLARATION OF SERVER   |                                   |              |
| <p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="width: 30%;"> <p>Executed on <u>March 21, 2008</u></p> <p style="text-align: center; font-size: small;">Date</p> </div> <div style="width: 60%; text-align: center;"> <p><u>Henry Moss</u></p> <p style="text-align: center; font-size: small;">Signature of Server</p> <p><u>102 East 22nd Street, New York, NY 10010</u></p> <p style="text-align: center; font-size: small;">Address of Server</p> </div> </div>   |                                   |              |

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.